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14	Attorneys for Defendant/Counterclaimant iProov		
15	Ltd.		
16	UNITED STATES DISTRICT COURT		
17	FOR THE STATE OF NEVADA		
18			
19	FACETEC, INC., a Delaware corporation, Plaintiff,	Case No. 2:21-cv-02252-ART-BNW	
20	V.	IPROOV LTD'S UNOPPOSED MOTION TO WITHDRAW STEPHEN	
21	iPROOV LTD, a United Kingdom limited liability company,	R. SMITH AND MATTHEW J. BRIGHAM OF COOLEY LLP AS	
22	Defendant.	COUNSEL OF RECORD AND MEMORANDUM OF POINTS AND	
23	iPROOV LTD, a United Kingdom limited	AUTHORITIES IN SUPPORT	
24	liability company,		
25	Counter-Claimant,		
26	v.		
27	FACETEC, INC., a Delaware corporation, Counter-Defendant.		
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Case 2:21-cv-02252-ART-BNW Document 52 Filed 06/27/23 Page 2 of 7

1 Defendant and Counter-Claimant iPROOV LTD ("iProov"), by and through their undersigned 2 counsel, respectfully request, pursuant to Local Rules IA 11-6 and 6-2, leave of the Court to withdraw 3 Stephen R. Smith and Matthew J. Brigham of Cooley LLP as counsel of record. Counsel for Plaintiff and Counter-Defendant FaceTec, Inc. have indicated that they do not 4 5 oppose this motion. 6 Dated: June 26, 2023 /s/ Matthew J. Brigham Jay J. Schuttert, Esq. (SBN 8656) 7 David W. Gutke, Esq. (SBN 9820) **EVANS FEARS & SCHUTTERT LLP** 8 6720 Via Austi Parkway, Suite 300 9 Las Vegas, NV 89119 (702) 805-0290 Telephone: 10 Facsimile: (702) 805-0291 Email: jschuttert@efstriallaw.com 11 Email: dgutke@efstriallaw.com 12 Stephen Smith (pro hac vice) COOLEY LLP 13 1299 Pennsylvania Avenue NW, Suite 700 Washington, DC 20004 14 Telephone: (202) 842-7800 (202) 842-7899 Facsimile: 15 Email: ssmith@cooley.com 16 Matthew J. Brigham (pro hac vice) **COOLEY LLP** 17 3175 Hanover Street Palo Alto, CA 94306-2155 18 Telephone: (650) 843-5000 Facsimile: (650) 849-7400 19 Email: mbrigham@cooley.com 20 Attorneys for Defendant/Counterclaimant *iProov Ltd.* 21 22 23 24 25 26 27 28

MEMORANDUM OF POINTS AND AUTHORITIES

Local Rule IA 11-6(b) states that: "If an attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel." Stephen Smith and Matthew Brigham of Cooley LLP, who have appeared in this action, and iProov, who consents to this withdrawal, accordingly seek to withdraw Mr. Smith and Mr. Brigham as counsel of record.

All parties in this case have received notice of the instant motion and will additionally receive notice of this motion through the CM/ECF system. Counsel for Plaintiff and Counter-Defendant FaceTec, Inc. have indicated that they do not oppose this motion. Additionally, pursuant to Local Rule IA 11-6(d), withdrawal will not cause any delay in the instant proceedings as iProov will continue to be represented in this action by attorneys Jay J. Schuttert and David Gutke of Evans Fears & Schuttert LLP, Alan Sege of Alan Sege, PC, and Ryan E. Hatch of Hatch Law PC.

Additionally, movants have attached a proposed order and the LR IA 6-2 signature block, whichever the Court chooses to use.

1	Dotade June 26, 2022	
1	$\frac{1}{J}$	s/ Matthew J. Brigham ay J. Schuttert, Esq. (SBN 8656)
2	²	David W. Gutke, Esq. (SBN 9820)
3)	EVANS FEARS & SCHUTTERT LLP 6720 Via Austi Parkway, Suite 300
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		Email: ssmith@cooley.com
11	1	Matthew J. Brigham (pro hac vice)
12	$2 \parallel$	2175 Hanover Street Palo Alto, CA 94306-2155
13	3	Telephone: (650) 843-5000
14	4 F	Facsimile: (650) 849-7400 Email: mbrigham@cooley.com
15	-	Attorneys for Defendant/Counterclaimant
16		iProov Ltd.
17	7 <u>OR</u>	<u>DER</u>
18	IT IS SO ORDERED.	
19	9	Renbucken
20	<i>)</i> 11	TED STATES DISTRICT COURT JUDGE/ TED STATES MAGISTRATE JUDGE
21	1	
22	DAT	TED: June 27, 2023
23	Case	No.: 2:21-cv-02252-ART-BNW
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CERTIFICATE OF SERVICE I hereby certify that a true and correct copy of IPROOV LTD'S UNOPPOSED MOTION TO WITHDRAW STEPHEN R. SMITH AND MATTHEW J. BRIGHAM OF COOLEY LLP AS COUNSEL OF RECORD AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT was served on counsel of record on June 26, 2023 using the Court's CM/ECF System. /s/ Matthew J. Brigham

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE STATE OF NEVADA 10 FACETEC, INC., a Delaware corporation, Case No. 2:21-cv-02252-ART-BNW 11 Plaintiff, [PROPOSED] ORDER GRANTING v. 12 **IPROOV LTD'S UNOPPOSED** iPROOV LTD, a United Kingdom limited 13 R. SMITH AND MATTHEW J. liability company, BRIGHAM OF COOLEY LLP AS 14 **COUNSEL OF RECORD** Defendant. 15 iPROOV LTD, a United Kingdom limited liability company, 16 Counter-Claimant, 17 v. 18 FACETEC, INC., a Delaware corporation, 19 Counter-Defendant. 20 21 This matter is before the Court on the Motion to Withdraw as Counsel of Record filed June 23, 22 23 24

2023. Stephen Smith and Matthew Brigham of Cooley LLP seek to withdraw as counsel of record for Defendant and Counter-Claimant iProov Ltd. The Motion represents that iProov will continue to be represented in this action by attorneys Jay J. Schuttert and David Gutke of Evans Fears & Schuttert LLP, Alan Sege of Alan Sege, PC, and Ryan E. Hatch of Hatch Law PC. Local Rule IA 11-6 provides that "no withdrawal . . . will be approved if it will result in delay of discovery, the trial, or any hearing in the case." Discovery has not yet closed and withdrawal will not delay this action.

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1	Having reviewed and considered this matter, and for good cause shown,		
2	IT IS SO ORDERED:		
3	1. The Motion to Withdraw is GRANTED.		
4	2. Defendant and Counter-Claimant iProov Ltd. will continue to be represented in this action		
5	by attorneys Jay J. Schuttert and David Gutke of Evans Fears & Schuttert LLP, Alan Sege of Alan		
6	Sege, PC, and Ryan E. Hatch of Hatch Law PC.		
7			
8	UNITED STATES DISTRICT COURT JUDGE/		
9	UNITED STATES MAGISTRATE JUDGE		
10	DATED.		
11	DATED:		
12	Case No.: 2:21-cv-02252-ART-BNW		
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